

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
HARRISBURG DIVISION**

VTran Media Technologies, LLC,
Plaintiff,

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§
§

v.

§ Civil Action No.
§ 1:08-cv-00200-WWC

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§

Atlantic Broadband Finance, LLC
d/b/a Atlantic Broadband, Cablevision
Systems Corporation, and MetroCast
Cablevision of New Hampshire, LLC,

§ (Judge Caldwell)

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§
§

Defendants.

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**DECLARATION OF MICHAEL G. GABRIEL
IN SUPPORT OF PLAINTIFF'S OPPOSITION TO
CABLEVISION SYSTEMS CORPORATION'S MOTION TO DISMISS**

I, Michael G. Gabriel, declare as follows:

1. I am an associate of Ward & Olivo, 380 Madison Avenue, New York, New York, 10017 and one of the attorneys who represent VTran Media Technologies, LLC in this action. I submit this Declaration in support of

Plaintiff's Opposition to Cablevision Systems Corporation's Motion to Dismiss.

2. Attached hereto as Exhibit A is a true and correct copy of U.S. Patent No.4,890,320.

3. Attached hereto as Exhibit B is a true and correct copy of U.S. Patent No.4,995,078.

4. Attached hereto as Exhibit C is a true and correct copy of a document entitled "Patent Ownership Agreement," dated January 5, 1988.

5. Attached hereto as Exhibit D is a true and correct copy of a document entitled "Decree of Descent," dated August 9, 2000.

6. Attached hereto as Exhibit E is a true and correct copy of a document entitled "Assignment *Nunc Pro Tunc*," dated April 13, 2005.

7. Attached hereto as Exhibit F is a true and correct copy of a document entitled "Patent Assignment Agreement," dated March 15, 2005.

8. Attached hereto as Exhibit G is a true and correct copy of a document entitled "Patent Assignment," dated April 23, 2005.

9. Attached hereto as Exhibit H is a true and correct copy of a document entitled "Patent Assignment," dated July 27, 2006.

10. Attached hereto as Exhibit I is a true and correct copy of the Affidavit of H. Vincent Monslow, as obtained on February 27, 2007.

11. Attached hereto as Exhibit J is a true and correct copy of the Affidavit of Sue Ann Dickey, as obtained on March 2, 2007.

12. Attached hereto as Exhibit K is a true and correct copy of the Affidavit of J. Bret Armatas, as obtained on March 5, 2007.

13. Attached hereto as Exhibit L is a true and correct copy of a Patent Assignment Abstract of Title for U.S. Patent No. 4,890,320, as obtained on March 20, 2008.

14. Attached hereto as Exhibit M is a true and correct copy of a Patent Assignment Abstract of Title for U.S. Patent No. 4,995,078, as obtained on March 20, 2008.

15. Attached hereto as Exhibit N is a true and correct copy of a document entitled "Assignment of Patents," dated October 26, 2006.

16. Attached hereto as Exhibit O is a true and correct copy of a document entitled "Assignment of Patent Rights," dated October 9, 2007.

17. Attached hereto as Exhibit P is a true and correct copy of selected pages from a transcript of the Deposition of H. Vincent Monslow, May 7, 2007, *In*

the Matter of the Marriage of Linda Monslow and H. Vincent Monslow, Case No. 92 C 1118 (District Court of Johnson County, Kansas).

SIGNED UNDER THE PENALTIES OF PERJURY THIS 9TH DAY OF MAY, 2008

/s/ Michael G. Gabriel

Michael G. Gabriel, Esq.